

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Mar 25, 2016**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

BARRY K. BROWN,

Plaintiff,

v.

COUNTRYWIDE HOME LOANS,  
INC., a California corporation; BANK  
OF AMERICA, N.A., a national bank  
doing business in Washington state;  
NORTHWEST TRUSTEE SERVICES,  
INC., a trustee doing business in  
Washington state; MORTGAGE  
ELECTRONIC REGISTRATION  
SYSTEMS, INC., aka MERS, a  
corporation doing business in  
Washington state; FIRST AMERICAN  
TITLE COMPANY, successor in  
interest to Pacific Northwest Title  
Company, a Trustee doing business in  
Washington state; NATIONSTAR  
MORTGAGE, LLC, a limited liability  
company; and DOES 1-100, inclusively  
and All Persons Unknown, Claiming  
Any Legal Or Equitable Right, Title,  
Estate, Lien, Or Interest In The Property  
Described In The Complaint Adverse  
To Plaintiff's Title, Or Any Cloud On  
Plaintiff's Title Thereto,

Defendants.

No. 2:15-CV-0199-SMJ

**ORDER DISMISSING FIRST  
AMERICAN TITLE COMPANY  
AS A DEFENDANT WITHOUT  
PREJUDICE**

1 Before the Court, without oral argument, is Defendant First American Title  
2 Company's Motion to Dismiss Plaintiff's Complaint for Failure to State a Claim  
3 Upon Which Relief can be Granted, ECF No. 17. Having reviewed the pleadings  
4 and the file in this matter, the Court is fully informed and grants the motion.

5 A pleading that states a claim for relief must contain a short and plain  
6 statement of the claim showing that the pleader is entitled to relief. Fed. R. Civ.  
7 Proc. 8(a)(2). First American's name appears exactly once in the complaint—in  
8 the caption. Because the complaint fails to state a short and plain statement of the  
9 claim against First American, First American is dismissed from the action without  
10 prejudice.

11 Accordingly, **IT IS HEREBY ORDERED:**

12 **1.** Defendant First American's Motion to Dismiss Plaintiff's Complaint  
13 for Failure to State a Claim Upon Which Relief can be Granted, **ECF**  
14 **No. 17, is GRANTED.**

15 **2.** First American Title Company is **DISMISSED WITHOUT**  
16 **PREJUDICE.**

17 **3.** The Clerk's Office is directed to **AMEND** the caption to read:  
18 BARRY K. BROWN,

19 Plaintiff,

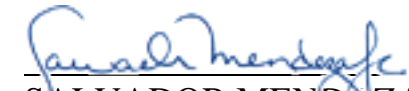
20 v.

1 COUNTRYWIDE HOME LOANS, INC., a California  
2 corporation; BANK OF AMERICA, N.A., a national  
3 bank doing business in Washington state;  
4 NORTHWEST TRUSTEE SERVICES, INC., a trustee  
5 doing business in Washington state; MORTGAGE  
6 ELECTRONIC REGISTRATION SYSTEMS, INC.,  
7 aka MERS, a corporation doing business in Washington  
8 state; NATIONSTAR MORTGAGE, LLC, a limited  
9 liability company; and DOES 1-100, inclusively and All  
10 Persons Unknown, Claiming Any Legal Or Equitable  
11 Right, Title, Estate, Lien, Or Interest In The Property  
12 Described In The Complaint Adverse To Plaintiff's  
13 Title, Or Any Cloud On Plaintiff's Title Thereto,

Defendants.

9 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order  
10 and provide copies to all counsel.

11 **DATED** this 25th day of March 2016.

12   
13 SALVADOR MENDEZ, JR.  
14 United States District Judge  
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